

Exhibit A

Exhibit A



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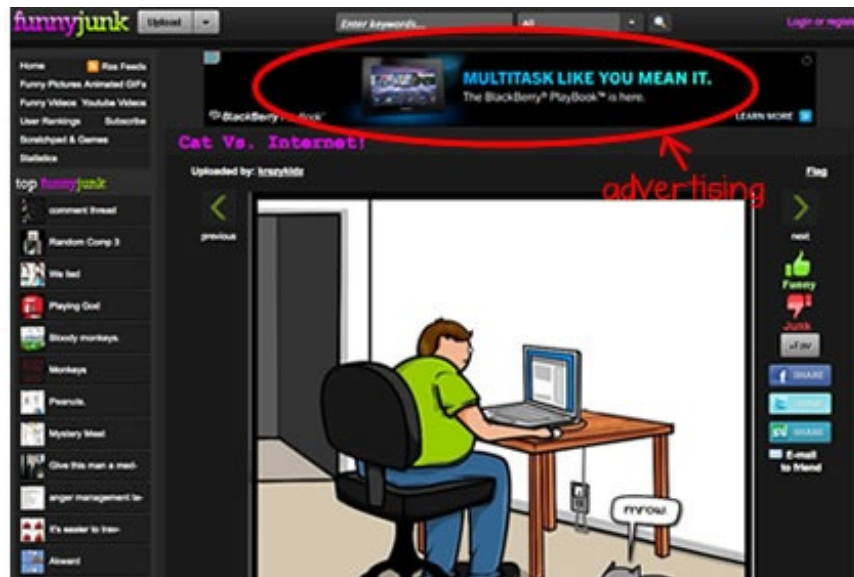
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What should I do about FunnyJunk.com?

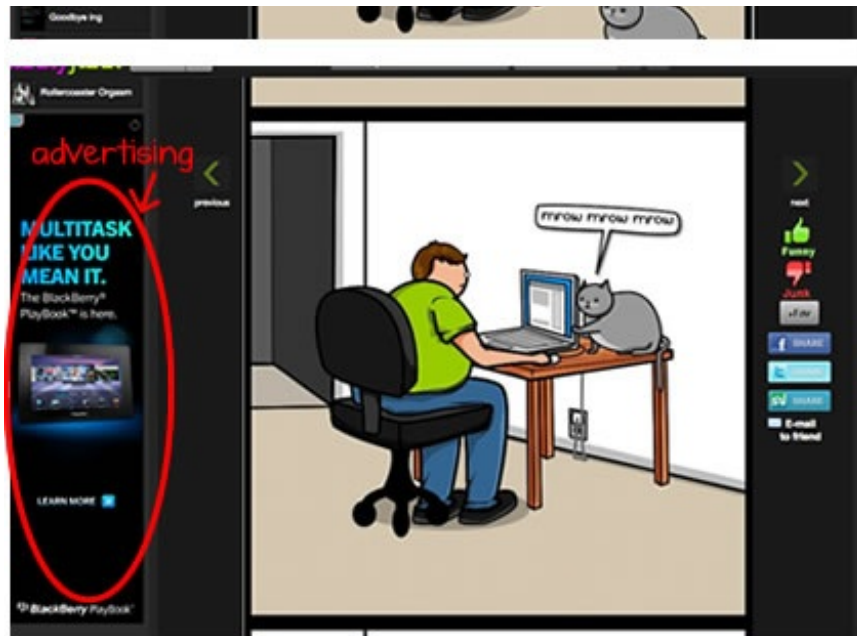
Here's how [FunnyJunk.com's](#) business operates:

1. Gather funny pictures from around the internet
2. Host them on FunnyJunk.com
3. Slather them in advertising
4. If someone claims copyright infringement, throw your hands up in the air and exclaim "It was our users who uploaded your photos! We had nothing to do with it! We're innocent!"
5. Cash six figure advertising checks from other artist's stolen material

I first contacted them about a year ago after I found a handful of my comics uploaded on their site with no credit or link back to me. They took down the offending images, but since then they've [practically stolen my entire website](#) and mirrored it on FunnyJunk:



- [Operation BearLove Good, Cancer Bad has ended. Now what?](#)
- [Charles Carreon is officially suing me and and the charities of my fundraiser](#)
- [FunnyJunk is threatening to file a federal lawsuit against me unless I pay \\$20,000 in damages](#)
- [Top BearFood links for this week](#)
- [This was the Final Jeopardy question last night](#)

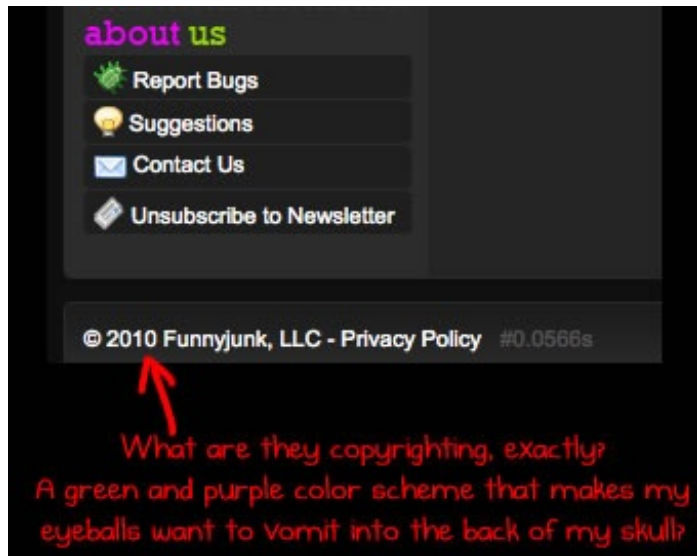


Most of the comics they've stolen look like this -- no credit or link back to me. Even *with* proper attribution, no one clicks through and FunnyJunk still earns a huge pile of cash from all the ad revenue.

Should I send them a cease and desist? One of my readers wrote in and mentioned that [Cyanide and Happiness](#) did that very thing, but from what I can tell it hasn't had much effect. There's still hundreds of C&H comics hosted on FunnyJunk.com, as well as thousands from other artists:

- ▶ [The Oatmeal](#) (926 stolen images found)
- ▶ [Cyanide & Happiness](#) (1000+ stolen images found)
- ▶ [David Thorne \(27blash6\)](#) (554 stolen images found)
- ▶ [Calvin and Hobbes](#) (1000+ stolen images found)
- ▶ [XKCD](#) (1000+ stolen images found)
- ▶ [The Far Side](#) (474 stolen images found)
- ▶ [Amazing Superpowers](#) (12 stolen images found)
- ▶ [Saturday Morning Breakfast Cereal](#) (78 stolen images found)
- ▶ [Dinosaur Comics](#) (42 stolen images found)
- ▶ [Dilbert](#) (64 stolen images found)
- ▶ [Married to the Sea](#) (24 stolen images found)
- ▶ [Natalie Dee](#) (58 stolen images found)
- ▶ [Toothpaste for Dinner](#) (17 stolen images found)
- ▶ [FoxTrot](#) (197 stolen images found)
- ▶ [Hyperbole and a half](#) (186 stolen images found)
- ▶ [Perry Bible Fellowship](#) (106 stolen images found)

Here's their only attempt at original humor:



And it's not just FunnyJunk.com, there's a small army of sites out there like this whose business model runs this way. Another one is DamnLOL.com, who managed to rack up [670,000 likes on Facebook](#) by hosting stolen content and covering their website with "like this on Facebook" buttons. It seems like this "Host-stolen-content-until-someone-complains-while-earning-ad-revenue" business model is booming right now. It's basically the new Ebaumsworld.



I realize that trying to police copyright infringement on the internet is like strolling into the Vietnamese jungle circa 1964 and politely asking everyone to use squirt guns. I know that if FunnyJunk disappeared fifty other clones would pop up to take its place overnight, but I felt I had to say *something* about what they're doing.

Perhaps ~~you should too~~ ***update*** read below.

Update

The admin of FunnyJunk has responded, [details here](#).

Update 2

FunnyJunk is now threatening to file a federal lawsuit against me unless I pay him \$20,0000: [details here](#).



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DISQUS

Add New Comment

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Real-time updating is **paused**. ([Resume](#))

Showing 20 of 683 comments

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Ellyn

These comments just make me extremely angry. The intelligence of the average human is at an all time low.

[2 weeks ago](#) [20 Likes](#)

[Like](#) [Reply](#)



TheAL

A warning to all who enter from henceforth: reading many of the existing comments comes with the risk of developing neurological damage in all crucial areas of the brain. Unless you like hollow logic, pitiful "it's the interwebz, get over it" arguments, and obvious trolls defending FJ, turn away now!

[2 weeks ago](#) [23 Likes](#)

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guest

Wow you're right, I think I felt my IQ drop around 10 points just reading for a few minutes. Also I go to FJ fairly regularly and even I think this lawsuit is complete bullshit. I pray the judge looks at the suit and laughs in admin's and his lawyer's face.

[1 week ago](#) [in reply to TheAL](#) [1 Like](#)

[Like](#) [Reply](#)



guest

I ignored the warnings. I read them anyway. Now I sit in my chair, slowly bleeding from the eyes and begging for a death that will not come.

[3 days ago](#) [in reply to TheAL](#)

[Like](#) [Reply](#)



Guest

I read some of the comments just because I got curious due to TheAL's comment. But seriously. You shouldn't.

1 week ago in reply to TheAL

[Like](#) [Reply](#)



Solid Snake, Anarcho-capitalist

<http://www.youtube.com/watch?v...>

2 weeks ago in reply to TheAL

[Like](#) [Reply](#)



Allen Hernandez

That video talks about derivative works and who owns what. Well, replies you've given throughout this page (as grossly novelesque and needless full of hot steam as the many, many, many, many, many replies are) seem to convey that you think copying \neq stealing one moment, which is true, but that one cannot steal, and most of what people think of stealing is just copying. That's where you trip on yourself.

A lot of that video talks about derivative works. Let's start there. FJ didn't make new comics that derived from the comics on Oatmeal. Furthermore, the people uploaded them on Oatmeal went out of their way in most cases to digitally remove the watermarks and signature of Oatmeal. They didn't copy. They didn't derive. They shared without credit. You're right. If I print your original work on my inkjet and hang it on my wall...I am not harming anyone. However, if I sell that print, or use it to fuel ad revenue on a site, and do all of this without giving credit, I am technically stealing. FACT. Making an original work bestows it with copyright the moment you make it. ALSO FACT. Say "false" all you want. Saying the moon is made of cheese 10,000,000 times in a row totally worked. Right? Let's say I spend 14 hours drawing something in Photoshop. I put it online with my watermark and say "Use the share links below, thanks." Guess what? That's my property. It's not yours. While you probably would never get in trouble for printing it on a sticker and slapping it onto your backpack, you can't take that image like it's stock and use it however you want, whenever you want, wherever you want. Again, say "false" all you want. It'll be your only defense when your paycheck is being garnished after being successfully sued. That art, printed on your paper or not, is NOT your property. Don't be a delusion imbecile for Pete's sake...

Your tireless battle to prove, however technical, that what FJ did was morally neutral and unequivocally in-the-right, in perpetuity throughout the universe, is based on fallacious logic and arguments that hide poor reasoning under the shroud of immense length and/or verbosity. If I find a dead, rotting horse and call it "dead," am I wrong? No. Someone like you could go on for 14 pages

citing all kinds of conspiracy theories, existential bull crap, and quantum what-have-yous, but you'd just be a windbag who never had a correct point to begin with. All you can do is say "FALSE! I'm right, you're wrong, insert insult here, BS obfuscation here, blah blah blah." You're an unfortunate soul with an obviously decent level of intelligence, but one who isn't too grounded. You're like a real Dwight Schrute without the heart.

If I wanted to hear someone who comes off like a dumb-ass community college student spewing a bunch of crap he just read in some books, and poorly understands, I'd dress up as a goth and go study some kids like an anthropologist. I would at least get some educational value out of it. With that said, feel free to reply. You seem unable to resist. However, I will never read them. Feel free to use that admission against me all you want.

2 days ago in reply to Solid Snake 1 Like

[Like](#) [Reply](#)



Solid Snake, Anarcho-capitalist

>That video talks about derivative works and who owns what.

Tucker?

<http://www.youtube.com/watch?v...>

> I am technically stealing.

By the use of the word "technically" you've admitted that you're equivocating. Thank you for your concession.

Not. Entitled. To. Any. Objective. Number. Of. Sales.

>All you can do is say "FALSE! I'm right, you're wrong, insert insult here

Hint: when you decide to back your claims with something other than the LTV, you'll get more of a response. Until then, look forward to gainsaying!

>You're like a real Dwight Schrute without the heart.

The human heart is a organ that pumps blood.

<http://www.youtube.com/watch?v...>

2 days ago in reply to Allen Hernandez ez

[Like](#) [Reply](#)



JayZak

But Funnyjunk isn't only copying it, it is MAKING MONEY from it, do you get it?...

[1 week ago](#) [in reply to Solid Snake](#) [1 Like](#)

[Like](#) [Reply](#)



Solid Snake, Anarcho-capitalist

And a person selling used books is also "stealing value" from the original creator. There is no right to have what you have created stay at any particular worth.

[1 week ago](#) [in reply to JayZak](#) [1 Like](#)

[Like](#) [Reply](#)



Jo Mama

seriously? you're comparing selling a used book to hosting, err, ripping off, someone else's content on your site? you are undoubtedly the dumbest person i've run across on the internet today.

let's see if you can tell the difference:

1) buy book. 2) read it 3) sell it

1) copy comics from website. 2) place on your own website 3) make money

[6 days ago](#) [in reply to Solid Snake](#) [1 Like](#)

[Like](#) [Reply](#)



Solid Snake, Anarcho-capitalist

And if the one steals value from the creator, so does the other. The point is that one does not have the right to collect any objective amount of money just because they created something. You can't "steal value."

[4 days ago](#) [in reply to Jo Mama](#)

[Like](#)



aadavi

Holy shit, are you that fucking stupid? Really? When you're buying a used book, the original creator is getting credit. You look at it and see who wrote it, who published it, who fucking edited it. You're aware of who created the content. The used book store doesn't slap it's own name on it and go, "DERP DEE DUR, I wrote this, now give me

money!"

That's the point. He's stealing content, making money off of it, and not linking back to the original creator.

[6 days ago](#) [in reply to Solid Snake](#) [1 Like](#)

[Like](#) [Reply](#)



Solid Snake, Anarcho-capitalist

No, you just do not think.

> When you're buying a used book, the original creator is getting credit.
So?? That's not my point. If the purchaser bought the book used it follows that the author was "deprived" of a sale, at least in partial. Value has "been stolen."

> He's stealing content, making money off of it,

Then buying a used book, instead of a new book, is also depriving the author of profit he is entitled to.

>and not linking back to the original creator.

That's plagiarism, otherwise known as fraud, stop equivocating.

[6 days ago](#) [in reply to aadavi](#)

[Like](#)



aadavi

*its. Before the inevitable "You used the wrong form of its, so your point doesn't matter, because yur a stoopid"

[6 days ago](#) [in reply to aadavi](#)

[Like](#)



Marie

The rate of your stupidity is too damn high.

Imagine you work as a janitor. You work your ass out like fark. BUT. The company doesn't pay you, instead, they pay the salary to your friend who claimed that he's the one who did all the work you've done.

THAT is what funnyjunk DID to THEOATMEAL.

If you still can't get the point, i do think you really are a retard.

[1 day ago](#) [in reply to Solid Snake](#)

[Like](#) [Reply](#)



Solid Snake, Anarcho-capitalist

A lovely strawman. You are entitled to that money, because there is an agreed upon contract between you and your employer. It doesn't work like that for IP, which cannot be property in the first place because it's not scarce. If things are not scarce there is no reason to call them property.

And stop conflating fraud with theft, they are not the same. Yes, implicit contract has been used in an attempt to justify copyright (you, in theory, would agree to a contract when you buy a book), but it doesn't fly because it would involve punishing third parties that did not agree to the contract.

[16 hours ago](#) [in reply to Marie](#)

[Like](#)



Jo Mama

Sorry...but I still can't believe what a moron you are - that I had to leave two comments. "Stealing value". I suppose selling a user car is stealing value from the creator. They SOLD it. Tard.

I ran around the internet today. at pretty much blazing speed. hoping to find someone who was at least as much of an idiot as you. I failed.

[6 days ago](#) [in reply to Solid Snake](#)

[Like](#) [Reply](#)



Solid Snake, Anarcho-capitalist

> I suppose selling a user car is stealing value from the creator.

Only if you believe copying a car and selling it steals value from the creator.

Of course it isn't stealing value, and that's the point I was trying to make. Tard. Since the car has been sold the new owner can do whatever he likes with it, which includes copying it and selling it for profit.

[4 days ago](#) [in reply to Jo Mama](#)

[Like](#)



Ben Daniels

YOU TURN AWAY!!!! WHORE

[2 weeks ago](#) [in reply to TheAL](#)

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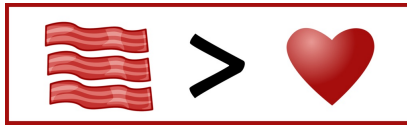
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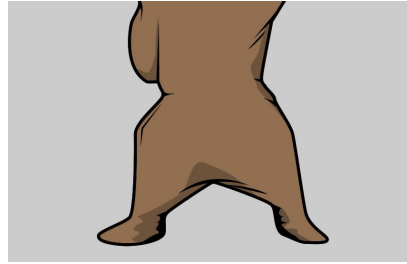


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